

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

In the Matter of the:

Petition of the Wisconsin Central Ltd. for the Alteration of a Public Crossing of Its Tracks with Frog Creek Road in the Town of Frog Creek, Washburn County

9164-RX-502

SUPPLEMENTAL ORDER

On April 24, 2003, the Office of the Commissioner of Railroads (OCR) issued an order that authorized the Wisconsin Central Ltd. (WCL) to alter the public crossing of Frog Creek Road with its tracks located in the Town of Frog Creek, Washburn County. (crossing no. 697 366P / CD 411.86). The final decision also required the WCL to install 12" LED automatic flashing lights with gates and constant warning time circuitry.

By letters dated April 23 and May 18, 2004, the Town of Frog Creek requested that the OCR order the removal or deactivation of the bell from the crossing signals. The Town states that northbound trains that are going onto the siding (which begins at Frog Creek Road) cause the bell to ring for excessive amounts of time. This ringing disturbs the residents at two homes near the crossing.

The crossing signals are controlled by constant warning time circuitry, which generally adjusts for differences in train speed to provide a consistent amount of warning time before a train arrives at a crossing. However, constant warning time circuitry calculates the signal timing based on the train's initial speed when it enters the signal circuit. If a train slows down after entering the circuit, then the signals will operate longer than normal. In this instance, because the siding begins just south of the crossing, it is likely that trains planning to use the siding are still traveling at or close to the 60 mph maximum when they enter the signal circuit. These trains then begin slowing down and this slowing down causes the signals to operate for more than the standard 25 to 30 seconds.

Signal bells are an optional item under the Manual on Uniform Traffic Control Devices (MUTCD) in order to provide additional warning for pedestrians and bicyclists (Section 8D.02). The Commissioner inspected the location with Town Chairman Douglas Denninger and Town Supervisor Jim Block on June 22, 2004. The area around the crossing is rural in character. The roadway does not have sidewalks. The crossing is very lightly used by pedestrians and bicyclists. The most likely pedestrians to use the crossing are the nearby residents who are familiar with the crossing. Trains also blow the horn for this crossing.

The Commissioner concludes that the signal bell can be safely deactivated at the Frog Creek Road crossing.

THEREFORE, IT IS ORDERED,

That the **Wisconsin Central Ltd.** shall deactivate the bell on the crossing signals at the crossing of its tracks with Frog Creek Road at-grade in the Town of Frog Creek, Washburn County by **August 15, 2004** (crossing no. 697 366P / CD 411.86).

Dated at Madison, Wisconsin, _____.

By the Office of the Commissioner of Railroads.

Rodney W. Kreunen
Commissioner of Railroads

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